

Department of Transportation

Pt. 1215

(2) When DOT awards a contract to a university or other private entity to provide training for DOT and/or other Government personnel, the policy applies. DOT controls this course; therefore, no soliciting or advertising of private, non-Government training while conducting the contracted-for training is permitted.

1213.7101 Solicitation provision and contract clause.

(a) Contracting officers shall insert the provision at (TAR) 48 CFR 1252.237-71, Certification of Data, in all solicitations and requests for quotations, and the clause at (TAR) 48 CFR 1252.237-72, Prohibition on Advertising, in solicitations, requests for quotations, and all contracts (e.g., purchase orders, SF 182s) for training services when the content and/or presentation of the training is controlled by DOT.

(b) Contracting officers shall incorporate the successful offeror's certified data into any resultant contract(s). Certified data may be incorporated by reference, if the contracting officer determines it contains sufficient descriptive information (i.e., dated material such as résumés, company and/or personnel qualifications) to reliably describe the certified data submitted.

PART 1214—SEALED BIDDING

Subpart 1214.2—Solicitation of Bids

1214.205 Solicitation mailing lists.
1214.205-1 Establishment of lists.

Subpart 1214.3—Submission of Bids

1214.302 Bid submission.

AUTHORITY: 5 U.S.C. 301; 41 U.S.C. 418(b); 48 CFR 3.1.

SOURCE: 59 FR 40276, Aug. 8, 1994, unless otherwise noted.

Subpart 1214.2—Solicitation of Bids

1214.205 Solicitation mailing lists.

1214.205-1 Establishment of lists.

(b) The issuance of a solicitation within a reasonable time (i.e., normally 45 days) after receipt of a SF 129, Solicitation Mailing List Application, constitutes the notification required

under (FAR) 48 CFR 14.205-1. If a solicitation is not anticipated for release within a reasonable time after receipt of the SF 129 or if an applicant does not meet the criteria for placement on the list, the contracting officer shall provide a written notification of acceptance or non-acceptance to the applicant within 45 days of application receipt.

(d) Requests for supplemental information shall normally be attached to the SF 129 and forwarded to potential suppliers for completion.

Subpart 1214.3—Submission of Bids

1214.302 Bid submission.

(b) Contracting officers may permit telegraphic bids to be communicated by means of a telephone call from the telegraph office to the designated office provided that procedures and controls have been established by the COCO for receiving and safeguarding these incoming bids.

PART 1215—CONTRACTING BY NEGOTIATION

Subpart 1215.1—General Requirements for Negotiation

1215.106 Contract clauses.

Subpart 1215.4—Solicitation and Receipt of Proposals and Quotations

1215.413 Disclosure and use of information before award.

1215.413-1 Alternate I.

1215.413-2 Alternate II.

Subpart 1215.6—Source Selection

1215.612 Formal source selection.

Subpart 1215.8—Price Negotiation

1215.804-6 Instructions for submission of cost or pricing data or information other than cost or pricing data.

Subpart 1215.9—Profit

1215.970 Payment of profit or fee under contracts.

AUTHORITY: 5 U.S.C. 301; 41 U.S.C. 418(b); 48 CFR 3.1.

SOURCE: 59 FR 40276, Aug. 8, 1994, unless otherwise noted.

Subpart 1215.1—General Requirements for Negotiation

1215.106 Contract clauses.

The contracting officer shall insert the clause at (TAR) 48 CFR 1252.215–70, Key Personnel and/or Facilities, in solicitations and contracts when the selection for award is substantially based on the offeror's possession of special capabilities regarding personnel and/or facilities.

Subpart 1215.4—Solicitation and Receipt of Proposals and Quotations

1215.413 Disclosure and use of information before award.

1215.413–1 Alternate I.

The alternate procedures at (FAR) 48 CFR 15.413–2 shall be used in lieu of the alternate procedures prescribed at (FAR) 48 CFR 15.413–1.

1215.413–2 Alternate II.

(e) The notice at (FAR) 48 CFR 15.413–2(e) shall be placed on the cover sheet of all proposals, whether solicited or unsolicited. The cite(s) under the first paragraph of the notice shall include, as a minimum, (TAR) 48 CFR 1215.413–2(f) and the cite of any OA implementing procedures.

(f) Proposals may be released outside of the Government if it is necessary to receive competent technical and/or management evaluation as long as the requirements of (FAR) 48 CFR 15.413–2(f) are met.

[59 FR 40276, Aug. 8, 1994, as amended at 60 FR 55802, Nov. 3, 1995]

Subpart 1215.6—Source Selection

1215.612 Formal source selection.

DOT's formal source selection procedures are contained in TAM (Transportation Acquisition Manual which is stocked by the Government Printing Office), Chapter 1215, Appendix A.

Subpart 1215.8—Price Negotiation

1215.804–6 Instructions for submission of cost or pricing data or information other than cost or pricing data.

The contracting officer may require the submission of DOT Form 4220.44, Contract Pricing Summary, when submitting a proposal that requires a SF 1411.

[59 FR 40276, Aug. 8, 1994, as amended at 61 FR 50249, Sept. 25, 1996]

Subpart 1215.9—Profit

1215.970 Payment of profit or fee under contracts.

Profit or fee shall only be paid on definitized contracts and modifications. Any profit or fee earned during the undefinitized period shall be paid once the contract and/or modification, as applicable, is definitized.

PART 1216—TYPES OF CONTRACTS

Subpart 1216.2—Fixed-Price Contracts

1216.203 Fixed-price contracts with economic price adjustment.

1216.203–4 Contract clauses.

1216.203–470 Solicitation provision.

Subpart 1216.4—Incentive Contracts

1216.406 Contract clauses.

Subpart 1216.5—Indefinite-Delivery Contracts

1216.505 Ordering.

Subpart 1216.6—Time-and-Materials, Labor-Hour, and Letter Contracts

1216.603 Letter contracts.

1216.603–4 Contract clauses.

AUTHORITY: 5 U.S.C. 301; 41 U.S.C. 418(b); 48 CFR 3.1.

SOURCE: 59 FR 40277, Aug. 8, 1994, unless otherwise noted.